Response and Amendment under 37 CFR § 1.111 Application No. 10/718,060 Page 3 of 13

## Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

## **Listing of Claims:**

1. (Original) A compound of Formula (I) or a pharmaceutically acceptable salt thereof, wherein the compound of Formula (I) is:

$$R_{6}$$
 $R_{7}$ 
 $R_{8}$ 
 $R_{9}$ 
 $R_{4}$ 
 $R_{1}$ 

wherein:

R<sub>4</sub> is methyl or ethyl;

R<sub>5</sub> is chloro or fluoro;

R<sub>6</sub> is hydrogen or fluoro;

R<sub>7</sub> is hydrogen, fluoro, chloro, methyl, ethyl, methoxy, ethoxy or hydroxyl;

R<sub>8</sub> is hydrogen or fluoro;

R<sub>9</sub> is chloro, fluoro, triflurormethyl or methyl;

X is an oxygen,  $-S(O)_0$ - or  $-N(R_a)R_i$ -;

K is:

 $a) - W_a - E_b - (C(R_e)(R_f))_p - E_c - (C(R_e)(R_f))_x - W_d - (C(R_e)(R_f))_y - W_i - E_j - W_g - (C(R_e)(R_f))_z - T - Q; \ or \ C(R_e)(R_f)_{e_1} - C(R_e)(R_f)_{e_2} - C(R_e)(R_f)_{e_3} - C(R_e)(R_f)_{e_4} - C(R_e)(R_f)_{e_4} - C(R_e)(R_f)_{e_5} - C(R_e)(R_f)$ 

b)  $-W_a-E_b-(C(R_e)(R_f))_p-E_c-(C(R_e)(R_f))_x-W_d-(C(R_e)(R_f))_y-W_i-E_j-W_g-(C(R_e)(R_f))_z-R_3$  and with the proviso that at least one  $R_e$  is selected as -T-Q, or  $-(C(R_g)(R_h))_k-T-Q$  when K is (b); and with the further proviso that "X-K" in the compounds of Formula (I), does not include nitroxyl lower alkyl esters;

R<sub>3</sub> is:

Response and Amendment under 37 CFR § 1.111 Application No. 10/718,060 Page 4 of 13

$$R_6$$
 $R_7$ 
 $R_8$ 
 $R_9$ 
 $R_4$ 

Q is -NO or  $-NO_2$ ;

a, b, c, d, g, i and j are each independently an integer from 0 to 3;

p, x, y and z are each independently an integer from 0 to 10;

W at each occurrence is independently -C(O)-, -C(S)-, -T-, -(C( $R_e$ )( $R_f$ ))<sub>h</sub>-, an alkyl group, an aryl group, a heterocyclic ring, an arylheterocyclic ring, or -(CH<sub>2</sub>CH<sub>2</sub>O)<sub>q</sub>-;

E at each occurrence is independently -T-, an alkyl group, an aryl group,  $-(C(R_e)(R_f))_h$ -, a heterocyclic ring, an arylheterocyclic ring, or  $-(CH_2CH_2O)_q$ -;

h is an integer form 1 to 10;

q is an integer from 1 to 5;

 $R_e$  and  $R_f$  are each independently a hydrogen, an alkyl, a cycloalkoxy, a halogen, a hydroxy, an hydroxyalkyl, an alkoxyalkyl, an arylheterocyclic ring, an alkylaryl, an alkylcycloalkyl, an alkylheterocyclic ring, a cycloalkylalkyl, a cycloalkylthio, a cycloalkenyl, an heterocyclicalkyl, an alkoxy, a haloalkoxy, an amino, an alkylamino, a dialkylamino, an arylamino, a diarylamino, an alkylarylamino, an alkoxyhaloalkyl, a sulfonic acid, a sulfonic ester, an alkylsulfonic acid, an arylsulfonic acid, an arylalkoxy, an alkylthio, an arylthio, a cyano an aminoalkyl, an aminoaryl, an aryl, an arylalkyl, an alkylaryl, a carboxamido, a alkylcarboxamido, an arylcarboxamido, an amidyl, a carboxyl, a carbamoyl, an alkylcarboxylic acid, an arylcarboxylic ester, an arylcarboxylic ester, a sulfonamido, an alkylsulfonamido, an arylsulfonamido, an alkylsulfonyl, an alkylsulfonyloxy, a sulfonic ester, a urea, a phosphoryl, a nitro,  $W_h$ , -T-Q, or -( $C(R_g)(R_h)$ )<sub>k</sub>-T-Q, or  $R_e$  and  $R_f$  taken together with the carbons to which they are attached form a carbonyl, a methanthial, a

Response and Amendment under 37 CFR § 1.111 Application No. 10/718,060 Page 5 of 13

heterocyclic ring, a cycloalkyl group, an aryl group, an oxime, a hydrazone or a bridged cycloalkyl group;

Rg and Rh at each occurrence are independently Re;

k is an integer from 1 to 3;

T at each occurrence is independently a covalent bond, a carbonyl, an oxygen,  $-S(O)_0$ - or  $-N(R_a)R_i$ -;

o is an integer from 0 to 2;

R<sub>a</sub> is a lone pair of electrons, a hydrogen or an alkyl group;

 $R_i$  is a hydrogen, an alkyl, an aryl, an alkylcarboxylic acid, an arylcarboxylic acid, an alkylcarboxylic ester, an arylcarboxylic ester, an alkylcarboxamido, an arylcarboxamido, an alkylaryl, an alkylsulfinyl, an alkylsulfonyl, an alkylsulfonyloxy, an arylsulfinyl, an arylsulfonyl, arylsulphonyloxy, a sulfonamido, a carboxamido, a carboxylic ester, an aminoalkyl, an aminoaryl,  $-CH_2-C(T-Q)(R_e)(R_f)$ , a bond to an adjacent atom creating a double bond to that atom,  $-(N_2O_2-)^{\bullet}M^+$ , wherein  $M^+$  is an organic or inorganic cation;

with the proviso that the nitrosated and/or nitrosylated compounds of Formula (I) must contain at least one –NO group or at least one -NO<sub>2</sub> group, and wherein the at least one –NO group or the at least one -NO<sub>2</sub> group is linked to the compounds of Formula (I) through an oxygen atom, a nitrogen atom or a sulfur atom.

- 2. (Original) A composition comprising the compound of claim 1 and a pharmaceutically acceptable carrier.
  - 3 52 (Cancelled)
- 53. (Original) The compound of claim 1, wherein the compound of claim 1 is a nitrosated 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate, a nitrosylated 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate, a nitrosated and nitrosylated 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate or a pharmaceutically acceptable salt thereof..
- 54. (Currently Amended) A compound selected from the group consisting of 2-(2-(nitroxy)ethylthio)ethyl 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate, 2-(2-(nitroxy)ethoxy)ethyl 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate, 3-((nitroxy)methylphenyl) 2(2-((2-chloro-6-fluorophenyl) amino)5-methylphenyl)acetate, 2-3-

Response and Amendment under 37 CFR § 1.111

Application No. 10/718,060

Page 6 of 13

bis(nitroxy)propyl 2(2-((2-chloro-6-fluorophenyl)amino)5-methylphenyl)acetate, 6-(nitroxy)-4,8-dioxabicyclo(3.3.0)oct-2-yl 2-(2-((2-chloro-6-fluorophenyl)amino)5-methylphenyl)acetate, 2-((2-(nitroxy)ethyl)sulfonyl) ethyl 2(2-((2-chloro-6-fluorophenyl) amino)5methylphenyl)acetate, 2-(4-(2-nitrooxyl)ethyl) piperazinyl)-2-oxoethyl 2-(2-((2-chloro-6fluorophenyl)amino)5-methylphenyl)acetate, 2,3-bis(nitroxy) 4-(2-(2-chloro-6fluorophenyl)amino)5-methylphenyl)acetyloxy)butyl 2-(2-((2-chloro-6-fluorophenyl)amino)5methylphenyl)acetate, 2-(2-(hydroxyethylthio)ethyl-2(2-((2-chloro-6-fluorophenyl)-amino)5methylphenyl)acetate, 2-(2-(hydroxyethoxy)ethyl 2(2-((2-chloro-6-fluorophenyl) amino)5methylphenyl)acetate, 3-(hydroxymethylphenyl) 2(2-((2-chloro 6-fluorophenyl) amino)5methylphenyl)acetate, 2.3-dihydroxypropyl 2(2-((2-chloro-6-fluorophenyl)amino)5methylphenyl)acetate, 6 hydroxy 4,8 dioxabicyclo(3.3.0)oct-2-yl 2(2-((2-chloro-6fluorophenyl)amino)5-methylphenyl)acetate, 2-((2-hydroxyethyl)sulfonyl) ethyl 2(2-((2-chloro-6fluorophenyl) amino)5-methylphenyl)acetate, 2 (4-(2-hydroxyethyl)piperazinyl)-2-oxoethyl 2-(2-((2-chloro 6-fluorophenyl)amino)5-methylphenyl)acetate, 4-(2-(2-(12-chloro 6fluorophenyl)amino)5-methylphenyl)acetoxy)-2,3-dihydroxybutyl-2-(2-((2-chloro-6fluorophenyl)amino)5-methylphenyl)acetyloxy)butyl acetate, or a pharmaceutically acceptable salt thereof.

55. (Original) A composition comprising at least one compound of claim 54 and a pharmaceutically acceptable carrier.

56 - 81 (Cancelled)